THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No.11679 of 2007

Dated: 21.06.2006

Between:

P. Sanjeeva Rao.

.... PETITIONER

AND

The Singareni Collieries Company Ltd., rep. by its Director (P.A & W) Kothagudem, Khammam District and others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No.11679 of 2007

ORDER

Questioning the Office Order dated 26.05.2007, issued by the respondent-Company, removing the petitioner from service on the ground of misconduct, the present writ petition is filed.

2. When the matter is taken up for hearing, the learned Standing Counsel for the respondent-Company submits that as against the impugned removal order, the petitioner has got an alternative remedy of appeal before the Managing Director, as per the Standing Order 29 of the respondent-Company, and the petitioner, without availing the said remedy, has straight away approached this Court.

3. At this juncture, the learned counsel for the petitioner submits that as per the Standing Order 29 of the respondent-Company the appeal shall be submitted within forty five days from the date of receipt of the order of punishment, and since already 25 days have been elapsed from the date of the order dated 26.05.2007, he prays to direct the appellate authority to entertain the appeal that may be filed by the petitioner without reference to the time mentioned in the Standing Order 29 of the respondent-Company.

4. Having regard to the fact that as against the impugned removal order, an alternative remedy of appeal before the Managing Director of the respondent-Company is available to the petitioner,

I deem it appropriate to dispose of the writ petition with the following directions:

The petitioner is at liberty to prefer an appeal before the appellate authority within four weeks from the date of receipt of a copy of this order, and on filing such appeal, the appellate authority shall consider and dispose of the same in accordance with law. Accordingly, the Writ Petition is disposed of. No costs.

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N.V. RAMANA, J.

Date: 21.06.2007

sj